

REMARKS

Claims 1-10, 12-24 and 27-33 are pending in the application. Claims 3-5, 7, 8, 10, 16, 19, 20, 23, 24, and 29 are withdrawn from consideration. Claims 1, 2, 6, 9, 12-15, 17-18, 21, 22, 27, 28, and 30-33 were rejected as allegedly anticipated by or allegedly obvious over USPN 6,268,222 to Chandler et al. ("Chandler"). The drawings were objected to.

Applicants thank the Examiner for the withdrawal of the prior presented objections and rejections.

Claims 1 and 33 have been amended to incorporate the language from claim 6 as filed, and supported throughout the application. Claims 2-6 have been cancelled. Claims 7-10, 12 and 32 have been amended to render them consistent with the amendments to claim 1. No new matter is added.

Objections to the Drawings

The drawings were objected to on the basis that the figure designations were not presented in capital letters. Enclosed replacement sheets have inserted the use of capital letters in place of the prior language. Withdrawal of the objection to the drawings is respectfully requested.

The Rejections over Chandler

Claims 1, 2, 6, 9, 12-15, 17-18, 21, 22, 27, 28 and 30-33 were rejected as allegedly anticipated by or allegedly obvious over USPN 6,268,222 to Chandler et al. ("Chandler"). This rejection is traversed.

At the outset, it should be noted that claims 1 and 33 clearly recite an energy transfer method requiring transfer of energy from an excited multichromophore to a signaling chromophore. The Office Action does not assert that Chandler teaches or suggests this claim limitation.

Furthermore, Chandler does not teach or suggest the use of a sensor polynucleotide binding protein and its use to detect a target polynucleotide in an energy transfer assay, as recited in the claims.

As these claim limitations are absent from the sole cited reference, the claims cannot be anticipated by or obvious over Chandler.

Nevertheless, in order to expedite prosecution, the claims have been amended to include the limitation from claim 6 as filed, that the multichromophore is a conjugated polymer. Chandler does not teach or suggest the use of a conjugated polymer that interacts with a target polynucleotide and can be used to receive incident energy and transfer it to a signaling chromophore conjugated to a sensor PBP.

Therefore, as Chandler does not teach or suggest multiple claim elements, Chandler can neither anticipate nor render obvious the claimed invention.

Withdrawal of the rejections over Chandler is respectfully requested.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and a corresponding notice of allowance is respectfully requested. A telephonic interview is formally requested prior to issuance of any other action than a notice of allowance.

Respectfully submitted,

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ATTACHMENTS